

MAR 12 2009

PTO/SB/21 (02-09)

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Total Number of Pages in This Submission

33

Application Number 10/716,380

Filing Date 11/18/2003

First Named Inventor Thomas

Art Unit 3772

Examiner Name Nihir B. Patel

Attorney Docket Number 1440.2032-001 / CMD-069

ENCLOSURES (Check all that apply)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name Cleveland Medical Devices Inc.

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Brian M. Kolowski

Date

3/12/2009

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:	Application of Thomas)	
)	
Serial No.:	10/716,360)	
)	Art Unit: 3772
Filed:	November 18, 2003)	
)	Attorney docket No. 1440.2032-001
For:	Gas system and methods for)	Attorney docket No. CMD-069
	enabling respiratory stability)	
)	
Examiner:	Nihir B. Patel)	
)	

March 12, 2009

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APPEAL BRIEF TRANSMITTAL

Dear Sir:

Appellants' herein submit their brief as required under 37 C.F.R. §41.37. The Commissioner is hereby authorized to charge the \$255 dollar fee for the Appeal Brief to Deposit Account 502704. The Appellants herein certify that they are a small entity. The Commissioner is further authorized to charge any deficiency or to credit any overpayment to Deposit Account 502704.

The Appellants' believe this Appeal Brief complies fully complies with 37 C.F.R.
§41.37.

Respectfully submitted,

3/12/2009
Dated



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